

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

IN RE: VIAGRA (SILDENAFIL CITRATE)
AND CIALIS (TADALAFIL) PRODUCTS
LIABILITY LITIGATION

Case No.: 3:16-md-02691-RS
MDL No. 2691

Case No: 3:17-cv-01775

Wanda M. Motes, Individually and as
Personal Representative of the Estate of
William Motes

Amended Master Short Form Complaint

Plaintiff(s)

v.

Pfizer Inc. and Eli Lilly and Company,

Defendant(s)

Plaintiff(s), Wanda M. Motes, Individually and as Personal Representative of the Estate of William Motes, incorporates by reference the Plaintiffs' Master Long Form Complaint(s) filed with United States District Court for the Northern District of California in the matter of *In re: Viagra (Sildenafil Citrate) and Cialis (Tadalafil) Products Liability Litigation*. Plaintiff(s) further show the court as follows:

1. Defendant(s) against whom Complaint is made:

a. ☒ Eli Lilly and Company

b. ☒ Pfizer Inc.

c. ☐ Other (specify Defendant) _____

2. Plaintiff's Full Name:

a. Wanda M. Motes

3. Name of the party or deceased who ingested Viagra/Revatio (sildenafil citrate) (hereinafter “Viagra”) and/or Cialis/Adcirca (tadalafil) (hereinafter “Cialis”) and suffered injury, if different than Plaintiff:

a. William Motes

4. Name of additional or other Plaintiff, including loss of consortium Plaintiff(s) (i.e. administrator, executor, guardian, conservator):

a. Wanda M. Motes

5. Plaintiff’s current city and state of residence:

a. Belton, SC

6. District Court in which venue would be proper absent direct filing:

a. United States District Court, District of South Carolina, Anderson Division

7. City and state of Plaintiff or Decedent when he/she was diagnosed with melanoma:

a. Belton, SC

8. Approximate dates that the Plaintiff or Decedent ingested Viagra (if applicable):

a. Start date: November 30, 2007

b. Stop date: February 2012

9. Approximate dates that the Plaintiff or decedent ingested Cialis (if applicable):

a. Start date: February 21, 2007

b. Stop date: September 2, 2016

10. Date(s) that Plaintiff was diagnosed with melanoma which he/she alleges was caused by Viagra and/or Cialis:

a. January 23, 2012

11. Date of death of Decedent, if applicable:

a. December 26, 2017

12. Master Complaint Adopted (check one or both):

a. X Pfizer Master Complaint

b. X Eli Lilly Master Complaint

13. Counts in the Master Complaint(s) brought by Plaintiff(s):

a. Count 1 (Negligence): X

b. Count 2 (Gross Negligence): X

c. Count 3(Negligence Per Se): X

d. Count 4 (Unfair and Deceptive Trade Practices: Unfairness) _____

e. Count 5 (Unfair and Deceptive Trade Practices: Fraud) _____

f. Count 6 (Unfair and Deceptive Trade Practices: Unlawfulness) _____

g. Count 7 (Strict Liability – Defective Design): X

h. Count 8 (Strict Liability – Failure to Warn): X

i. Count 9 (Failure to Test): X

j. Count 10 (Breach of Express Warranty): X

k. Count 11 (Breach of Implied Warranty): X

l. Count 12 (Fraudulent Misrepresentation and Concealment): X

m. Count 13 (Negligent Misrepresentation and Concealment): X

n. Count 14 (Fraud and Deceit): X

o. Count 15 (Willful, Wanton, and Malicious Conduct): X

p. Count 16 (Unjust Enrichment): X

q. Count 17 (Loss of Consortium): X

r. Count 18 (Survival): X

s. Count 19 (Wrongful Death): X

t. Count 20 (Punitive Damages): X

u. Other:

14. Jury Demand

a. Pursuant to Federal Rule of Civil Procedure 38(b), Plaintiff(s) hereby demand a trial
by jury as to all claims in this action: Yes X No ____

Dated this the 12th day of August, 2019.

Respectfully submitted on behalf of the Plaintiff(s),

/s/ Kimberly D. Barone Baden

Kimberly D. Barone Baden (CA SBN 207731)

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